

IN THE UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

GLOBAL MARINE SYSTEMS LIMITED,

Plaintiff,

v.

Case No.: 05-11605 RGS

TYCO TELECOMMUNICATIONS (U.S.)  
INC., TRANSOCEANIC CABLE SHIP CO.  
INC.,

Defendants.

**PLAINTIFF'S MOTION TO  
IMPOUND CONFIDENTIAL INFORMATION**

Plaintiff Global Marine Systems Limited ("Global Marine") hereby moves, pursuant to Local Rule 7.2, that the Court impound its Memorandum in Support of Plaintiff's Motion for Partial Summary Judgment of Infringement, Plaintiff's Statement of Undisputed Facts in Support of Its Motion for Partial Summary Judgment of Infringement, Declaration of Malcolm Marten, and Declaration of Mark S. Freeman in Support of Plaintiff's Motion for Partial Summary Judgment.

Grounds for this motion are that:

1. The parties to this action entered into a Stipulated Protective Order on January 20, 2006, which was then entered by the Court.
2. Pursuant to this Stipulated Protective Order, the parties agreed that they could designate documents and other discovery materials containing technical specifications and other information as "CONFIDENTIAL" or "HIGHLY CONFIDENTIAL".

3. The Memorandum in Support of Plaintiff's Motion for Partial Summary Judgment of Infringement, Plaintiff's Statement of Undisputed Facts in Support of Its Motion for Partial Summary Judgment of Infringement, Declaration of Malcolm Marten, and Declaration of Mark S. Freeman in Support of Plaintiff's Motion for Partial Summary Judgment contain documents and information that the defendants have designated "CONFIDENTIAL" and "HIGHLY CONFIDENTIAL" pursuant to the Stipulated Protective Order. The Stipulated Protective Order provides that when such information is filed with the Court, it be filed under seal.

**WHEREFORE**, Global Marine respectfully requests that the Court impound its Memorandum in Support of Plaintiff's Motion for Partial Summary Judgment of Infringement, Plaintiff's Statement of Undisputed Facts in Support of Its Motion for Partial Summary Judgment of Infringement, Declaration of Malcolm Marten, and Declaration of Mark S. Freeman in Support of Plaintiff's Motion for Partial Summary Judgment, until further order of the Court, and returned to outside counsel for Global Marine upon the conclusion of such custody. In addition, Global Marine respectfully requests that the Court accept its Memorandum in Support of Plaintiff's Motion for Partial Summary Judgment of Infringement, Plaintiff's Statement of Undisputed Facts in Support of Its Motion for Partial Summary Judgment of Infringement, Declaration of Malcolm Marten, and Declaration of Mark S. Freeman in Support of Plaintiff's Motion for Partial Summary Judgment provisionally under seal pending the Court's ruling on this Motion.

Respectfully submitted,

GLOBAL MARINE SYSTEMS LIMITED,  
By its attorneys,

/s/ Mark S. Freeman

Eric J. Marandett (BBO #561730)

Daniel C. Winston (BBO #562209)

Mark S. Freeman (BBO #636290)

Stacy L. Blasberg (BBO #657420)

CHOATE, HALL & STEWART LLP

Two International Place

Boston, MA 02110

Telephone: (617) 248-5000

Dated: July 26, 2006

**LOCAL RULE 7.1 CERTIFICATION**

The undersigned hereby certifies that counsel for Plaintiff has conferred with counsel for Defendants, and counsel for Defendants informed counsel for Plaintiff that the Defendants do not oppose this Motion.

/s/ Mark S. Freeman  
Mark S. Freeman

**CERTIFICATE OF SERVICE**

I hereby certify that this document filed through the ECT system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) and paper copies will be sent to those indicated as non-registered participants on July 26, 2006.

/s/ Mark S. Freeman  
Mark S. Freeman